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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/849,510	05/19/2004	Gregory John Billington	07703-414001	6776
26211 7590 02/05/2007 FISH & RICHARDSON P.C. P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			EXAMINER BEAUCHAINE, MARK J	
			ART UNIT 3653	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			02/05/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	Application No. 10/849,510	Applicant(s) BILLINGTON ET AL.	
	Examiner Mark J. Beauchaine	Art Unit 3653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 May 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☒ Certified copies of the priority documents have been received in Application No. 09/546,126.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/28/06</u> .   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

This Office action is in response to the Applicant's information disclosure statement, reissue declaration and remarks dated 28 August 2006, as well as, the Applicant's subsequent amendment to claims dated 20 November 2006.

### ***Information Disclosure Statement***

Receipt of the Information Disclosure Statement (IDS) filed 28 August 2006 is acknowledged. Although item "AS" of said IDS is described by the Applicant as including a manual (70 pages) and an appendix (15 pages), pages 66 and 67 of said manual are missing from said IDS submittal and have not been considered.

Furthermore, said appendix is found to contain 11 pages of text, including the title page, in lieu of the cited 15 pages. Still further, the following two additional documents are included in the Applicant's submittal:

"NRI Changer Series G 26.4000 Appendix" (10 pages) (date unknown), and

"NRI New Changer Series G-26.4000/6" (15 pages) (date unknown).

Since no date related to said two "NRI" documents they have been placed in the file of record but have not been considered.

***Oath/Declaration***

Receipt of the reissue declaration submitted filed by the Applicant on 28 August 2006 is acknowledged. Said declaration is accepted and has been placed in the file of record.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-6, 24 and 25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the terms "device for handling money" (in the preamble - line 1), "money handling apparatus" (in the body – line 2), "further device for handling money" (in the body - line 6), and "first and second different types of device for handling money" (in the body - lines 10 and 11). It appears that the "device for handling money" is an element of the claim that belongs in the body of the claim. Furthermore, it is unclear whether said "device for handling money" is one of the "first and second different types of device for handling money". Still further, it is unclear whether the "money handling apparatus" is one of the "first and second different types of device for handling money".

Claims 25, 27, 29, 31, 33 and 35 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The use of optional and/or suggestive language "that does not require steps to be preformed or [ ] does not limit a claim to a particular structure" fails to limit the scope of the claim. (See M.P.E.P. 2111.04.) The following term is optional and/or suggestive, and thus, the claim language subject to said terms is given no patentable weight:

"adapted for" (lines 1 and 2 of claims 25, 27, 29, 31, 33 and 35).

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claim 14 is rejected under 35 U.S.C. 102(a) as being anticipated by Patent Number US 6,250,452 B1 by Partyka ("Partyka"). Communication for money handling apparatus 12 disclosed by Partyka is performed via the steps of communicating with external controller 104 over a first port (I/O connection between 102 and 104 – see Figure 2), and communicating with a further money handling apparatus 14 over a

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second port (see column 2, lines 64-67), wherein the content of at least some signals is copied (via memory 116 between said first and second ports without modification.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6, 15-17, 19-25 and 28-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Partyka in view of Patent Number 4,669,596 by Capers et al ("Capers") in view of Patent Number 6,119,053 by Taylor et al ("Taylor"). The money handling device 10 of Partyka includes money handling apparatus 12, internal controller 102 for controlling the money handling apparatus, a plurality of first ports (I/O connection between 102 and 104 - see Figure 2) for connection to external controller 104 for communicating with internal controller 102, and a second port for connection to first and second different types of money handling device 12 (coin dispenser) and 14 (banknote validator), the first type of device handling money of a different type from those handled by the second type (see column 2, lines 64-67; column 5, lines 44-46; column 6, lines 3-6, 20-25 and 36-38), wherein said internal controller is arranged to communicate over said second port.

Furthermore, said internal controller is arranged to distinguish between said first and second type of money handling device by code received from said further device

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over said second port (see column 6, lines 3-16). Said internal controller is arranged to copy the content of at least some signals between the first port and second port without modification thereof via Random Access Memory (ROM) 116 (see Figure 3). Still further, Partyka discloses said internal controller 102 being arranged to receive commands in terms of first units of money value and to convert said first units used for communicating over said first port (see column 6, lines 3-8) to corresponding commands including an indication of second units of value used for communicating over said second port (see column 6, lines 17-25 and 54-60).

Partyka fails to disclose said first and second ports as being removably connected. Capers teaches a money handling device including port 32 for removable connection to money handling device 20 (see Figures 1 and 3) for the purpose of replacing apparatus components. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the removable connection of Capers into the device of Partyka for the purpose of replacing apparatus components.

Partyka fails to disclose said internal controller arranged to communicate using a communications protocol. Taylor teaches a money handling device that includes internal controller 102 arranged to communicate over port 104/106/108 (see Figure 1) with device 110 using a communications bus-oriented MDB protocol (see column 2, lines 47-59; and column 4, lines 16-19) for the purpose of performing a vending function. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the port/protocol configuration of Taylor into the device of Partyka for the purpose of performing a vending function.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Partyka in view of Taylor. Communication for the money handling apparatus disclosed by Partyka includes communicating with external controller 120 over a first port (see Figures 2 and 4), communicating with further money handling apparatus 12 over a second port (see column 2, lines 64-67).

Tartyka fails to disclose a communications protocol. Taylor teaches a money handling apparatus including a communications protocol supporting communications with any one of at least first and second different types of device for handling money 110 and 112 (see column 2, lines 47-59), the first type handling money of a different type from that handled by the second type for the purpose of performing a vend function. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the communications protocol configuration of Taylor into the device of Partyka for the purpose of performing a vend function.

Claims 8-10, 12, 13, 26 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Partyka in view of Capers. The money handling device 10 of Partyka includes money handling apparatus 12, internal controller 102 for controlling the money handling apparatus, a first port (I/O connection between 102 and 104 - see Figure 2) for connection to external controller 104 for communicating with internal controller 102, and a second port for connection to first and second different types of money handling device 12 (coin dispenser) and 14 (banknote validator), the first type of device handling



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money of a different type from those handled by the second type (see column 2, lines 64-67; column 5, lines 44-46; column 6, lines 3-6, 20-25 and 36-38), wherein said internal controller is arranged to communicate over said second port and to copy the content of at least some signals between the first port and the second port without modification thereof via memory 116. The content of some of the signals received on the second port is modified prior to output on said first port (see column 6, lines 17-25 and 54-60).

Furthermore, said internal controller is arranged to distinguish between said first and second type of money handling device by code received from said further device over said second port (see column 6, lines 3-16). Said internal controller is arranged to copy the content of at least some signals between the first port and second port without modification thereof via Random Access Memory (ROM) 116 (see Figure 3).

Partyka fails to disclose said first and second ports as being removably connected. Capers teaches a money handling device including port 32 for removable connection to money handling device 20 (see Figures 1 and 3) for the purpose of replacing apparatus components. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the removable connection of Capers into the device of Partyka for the purpose of replacing apparatus components.

Claims 11 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Partyka in view of Capers in view of Taylor as applied to claim 15 above, and further in view of Patent Number 4,124,888 by Washburn ("Washburn").

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Partyka/Capers/Taylor fails to disclose signals not recognizable by said internal controller. Washburn teaches internal controller MUX which does not recognize signals characteristic of a further device (column 10, lines 23-46) for the purpose of prioritizing signals communicated by peripheral devices. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the controller/peripheral unit configuration of Washburn into the device of Partyka/Capers/Taylor for the purpose of prioritizing signals communicated by peripheral devices.

Partyka/Capers/Taylor fails to disclose combining first and second units of values as combined value in a single set of units. Washburn teaches controller MUX arranged to determine a first value received by a first peripheral device, to receive and indication of a second value received from a second peripheral device, and to combine said first and second values as a combined value in a single set of units (see column 10, lines 13-31) for the purpose of communicating status information of peripheral units to a host unit. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the controller/peripheral unit configuration of Washburn into the device of Partyka/Capers/Taylor for the purpose of communicating status information of peripheral units to a host unit.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-35 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark J. Beauchaine whose telephone number is (571)272-6934. The examiner can normally be reached on 8:00AM through 5:00PM Mondays through Thursdays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick H. Mackey can be reached on (571)272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

mjb



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